The New REPUBLIC

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The New REPUBLIC

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WORDS, no matter how strong, will probably not impress on Germany the depth of the outrage in sinking the *Falaba*. Nothing that the Allies will say will deflect her. They may call the act murder and piracy, they may declare Germany an outlaw. Germany is used to harsh words. Nor will anything the neutrals say make much difference. But what the neutrals may do will make a difference. It is clear that to all neutrals such crimes are a direct challenge. If they continue the neutral powers may have to make their opinion felt. The civilized opinion of mankind may have to turn upon Germany and compel her to respect human decency. It would have a case in which the use of force would be clearly justified.

ON two different occasions recently ex-Senator Root has been giving advice in public to American business men; but the advice has not been altogether good. He called their attention to the extraordinary revolution in public opinion which within a comparatively few years has con-

how necessary it was for business interests to take their proper place in the counsels of the nation, and as a means to that end he recommended them to go into politics and claim their fair share of consideration. This was good advice, which he might with equal propriety have extended to wage-earners, farmers and the like. Instead of driving special interests out of politics, as was the cry a few years ago, the object of reformers should be to drive them into politics—that is, into public political agitation. Such agitation, shared by men of different standards, occupations and ideals, is indispensable to the formation of an abundant, diversified, vigorous and wholesome public opinion. But in another respect Mr. Root's advice was not so good. He implied that if business men go into politics, they should do so solely to protect their privileges as property-owners and their interests as business men. The implication was dangerous. Undoubtedly they have every reason to protect themselves against unjust attack, but their permanent influence in politics will depend on their ability to adjust their policy as a class to the welfare of the whole community. To advise them to go into politics without also advising them to consider anxiously why they had become objects of public suspicion and what they must do in order to regain public confidence, was the advice of a lawyer rather than of a candid friend. Business men must go into politics, if at all, not merely to promote their own interests, but in the specifically political interest of individual and social welfare.

IN the long run, perhaps the most important points raised in the Government's brief to dissolve the International Harvester Company are the following: The Administration openly asks the Court to decide a question of public policy, and it betrays the fact that its own reasoning is formal rather than inductive. There is no claim that the Company has "abused its power," whatever that phrase may mean. It is the existence of the power

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clearer recognition of the much denied statement that courts are not oracles of an existing law, but men deciding practical issues according to their personal views of public policy? Could there be better evidence that the sociological training of judges is not a mad freak, as President Butler, of Columbia, suggested the other day, but a real necessity of the situation? At the same time, could there be a more complete demonstration of the unscientific way in which the trust problem is handled? The Attorney-General does not attack the combination for high prices, low wages, poor product, undemocratic management. None of these criteria are in his mind. What he objects to is a violation of the theory of competition. He judges not by results, but by the form of organization. He refrains from asking whether the machine serves a good purpose; he says simply that he doesn't approve the design of the machine. There may be reasons why the Harvester Company should be dissolved, but the *a priori* reason is not one of them.

THE great value of the Trade Commission is that it will be in a position to formulate and make concrete the standards by which business should be judged. Its task is to translate the phrase "public welfare" into specific recommendations for actual affairs. If the scientific temper prevails over the legalistic one, the Commission may well expect to build up a body of experience containing standards to which business practice must conform. It can substitute for the purely negative method of dissolution an affirmative policy which will be a guide to business men. It may lead, advise, and compel in the spirit of the consulting engineer, rather than plump down in the spirit of the old-fashioned policeman and the still more old-fashioned executioner. The Commission has the opportunity to say something more than that this should not be done and that must not be done. It is able to suggest what ought to be done.

AS the day approaches for the assembling of the New York constitutional convention, the prospect of securing a radically better state constitution becomes less and less prosperous. The only men who are going into the convention with strong convictions in favor of any special program of reorganization consist of a small group of influential Republicans, who propose to introduce the short ballot and increase the legislative and administrative authority of the governor; but even this moderate program is compromised, because its advocates are more distinguished for ability than to lay chief stress upon intangible elements, such ganize a much more capable and authoritative government than that which now exists, without providing for more effectual popular control over its behavior. At a time when representative institutions are under suspicion, they plan to create a powerful and responsible representative system without giving to the voters any additional security against the betrayal of their confidence. It will be easy enough for the Democrats and reactionary Republicans to accuse them of being undemocratic, and the accusation will be sufficiently plausible to be really damaging. These gentlemen are dominated by an admirable but insufficient ideal of government efficiency rather than by an ideal whose all-important interest is popular political education.

A VERY satisfactory explanation of the admitted failure of German diplomacy is given in a remarkable article by Professor Munroe Smith in the March *Political Science Quarterly*. Under Bismarck German diplomacy was conducted with consummate skill. Three wars of aggression were waged, against Denmark, Austria and France; yet in each case the onus of the conflict was rolled upon Germany's antagonist. In each case Bismarck had insured himself against the interference of other states; he had weighed carefully the forces at his command and those of the prospective enemy, and he achieved precisely the objects he set out to attain. One who follows Professor Munroe Smith's masterly analysis is compelled to accept the conclusion that with a chancellor of Bismarck's force and insight, Germany would probably have escaped war at the present time; and if at a later time she had found war with Russia and France necessary, she would have so chosen her occasion as to have offered England no excuse for entering the conflict.

BISMARCK was a towering genius, and no country can command the services of a succession of geniuses. Professor Munroe Smith shows, however, that it is probably a mistake to ascribe the errors of recent German policy to lack of insight on the part of Bismarck's successors. In every state confronted with military problems there is an inevitable conflict between strategy and diplomacy. Strategy cannot help but rely exclusively upon brute force. It is impatient with such "imponderables" as the public opinion of mankind; if conscious of present superiority to a probable enemy, it presses for immediate and ruthless action. Diplomacy is essentially cautious, prone

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Prior to each of Bismarck's wars there were efforts on the part of the military strategists to force his hand before the time was ripe. Military strategy worked persistently for a second war with France in the seventies, on the ground that such an event was inevitable. Bismarck was strong enough to withstand the pressure. What recent events prove is not that German diplomacy has become incompetent, but that military strategy has gained the upper hand in the councils of state. The course of action pursued by Germany is precisely the same that the military strategists sought to force upon her in the time of Bismarck.

ON the cover of *Collier's Weekly* for March twenty-seventh is displayed the announcement: "A Visit to the Kaiser by Senator Albert J. Beveridge." Above it is a facsimile of Mr. Beveridge's letter to Mr. Mark Sullivan, assuring him and the public that every statement in the article was true and officially sanctioned by the Imperial German Government. Perhaps, in the careless fashion of readers, you say to yourself: "Here is a piece of journalism—an interview between a Senator and an Emperor." Then you turn to the article. You learn that Mr. Beveridge visited William II, and walked with him in the garden for two hours; that the monarch does not look older than his age suggests; that his complexion is pale, with a faint tinge of color; that his voice is vibrant and strong. And you are told what Admiral von Tirpitz and Field Marshal von Hindenburg said to Mr. Beveridge. Of what the Kaiser said in those two hours there is no hint. Perhaps Mr. Beveridge did all the talking. Perhaps the Kaiser may not be quoted. At any rate, only a very gullible person would suppose that the announcement of "A Visit to The Kaiser" implies that you have anything to report. It is sufficient to prove that there *was* a visit to the Kaiser. And that truth *Collier's* has established for all time, at the expense of its readers.

MODERN industrialism tolerates no frontier land. Even at the farthest western edge of the continent, "progress" has established itself amid its customary whir; waste of material resources has diminished, waste of human beings has increased; the frontier has attained a semblance of order and a smell of machine. With the coming of commerce came thrift; whereas the Pacific hill forests were once slashed recklessly and ruined for a scattering of logs, they are now carefully, deftly stripped of their timber foot by foot. They are ruined just the same, but the returns on the job

can family, there were needed the death and burial rites of Lincoln Beachey. Not that falling into San Francisco Bay in a monoplane is itself necessarily a mark of progress. But moderns will not fail to recognize and receive a community in which the picture cards of a celebrity are hawked at his funeral. "Beachey postals here: only five cents!" With those words the historic Far West was no more.

FOR the last four years, Ohio, under Democratic rule, has been working out an excellent system of management of all her state institutions through a centralized Board of Administration. This salaried group of trained men were substituted for unpaid county boards. Only a few states have developed this efficient scheme, and Ohio has thus far kept it from the encroachments of politics. The report of the Board of Administration demonstrates the value of retaining its members not only as a reward for efficient service, but that the continuity of their policy may be unbroken. The policy itself has been characterized by a combination of clear-cut business methods and the spirit of social service. Theirs is the "efficiency of tenderness," as Jane Addams puts it. Now enter the Republicans. In Ohio, as in most other parts of the country where the Republican party was victorious, a spirit of reaction has entered into politics. The newly elected Governor Willis has folded his arms and has indicated to the politicians that he will remain in that attitude even if they go ahead and do their worst. He is actually helping to make their beginning bright by the public announcement that the Board of Administration is to be split up, salaries reduced, and Republicans substituted for Democrats. It looks as if as many crimes would be committed in the name of economy as in the name of liberty.

IF the day ever comes when suffrage is extended to social entertainment, we suggest that no better use could be made of it than to govern the activity of poets who propose to read their own works. The referendum and recall might also be well adapted to the same exigency. But occasionally a poet is to be found who is endowed to give the emotional dimension to his verse that good acting gives to a play. Such a poet is Mr. Alfred Noyes. Included the other evening in New York in a program of popular authors, he elected to read his own "Forty Singing Seamen" and to recite a new ballad not yet published. It was a stirring performance. If words ever took wings, and ascended securely and swiftly to the empyrean

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the vision that had possessed him, and he communicated it without a flaw, enjoying justly the pleasure of his own creation, and conveying an equal enjoyment. It was noble recompense to an audience that had risked hearing authors read their own works.

HARVARD, Princeton and Yale recently debated the advisability of "a prompt and substantial increase in our army and navy." Here we might look for enlightenment on a troubled question; for the fresh and systematically treated minds of the undergraduates, presumably our future leaders, should be above the mists of the tired Congressional intellect. It is therefore disconcerting to learn that on the same evening when Yale successfully defended the negative of the question against Princeton, she won a judgment for the affirmative against Harvard. The fact that Harvard, speaking for the affirmative, defeated Princeton, might weigh down the balance a little, unless one contemplates the case of Princeton, which showed an impartiality more gracious than Yale's by being defeated on both sides. On this same evening Williams, Brown and Dartmouth held a triangular series of debates on a similar resolution; but we shall spare the reader further complexities. We cannot forbear to say, however, that in the latter series there were two victories for the negative instead of two for the affirmative as in the major league. Thus was proved the value of collegiate debating, which enables the student to espouse all sides of every question with equal conviction. It reminds one of perpetual motion, but not less of the two-party system, which makes it incumbent on our legislators not to consider the facts and accomplish the desired result, but to justify a platform before an electorate of loyal partisans.

Anglo-American Reciprocity

BRITISH public opinion, if the London press may be accepted as a criterion, continues actively to resent the stubborn resistance made by the United States in its defence of neutral commerce; but this resentment, however natural, cannot, we believe, permanently endure. When the war is over, candid and liberal Englishmen will admit that a genuine grievance has not deterred this country from treating Great Britain uncommonly well. They will come to understand that the American government and American public opinion have been considerate in the expression of the protests which the State Department was obliged to make against the use of British seapower, the American attitude, taken as a whole, has made in favor of a better understanding between the two countries and has implied a feeling of mutual and permanent confidence. The ultimate justification for the course that has been followed and its results should be nothing less than an increasingly friendly and loyal cooperation between the two peoples.

English irritation and resentment towards the United States spring from the refusal of this country calmly to acquiesce in what is admittedly an enormous extension of belligerent rights at sea. It is not surprising, perhaps, that in the midst of such a grave national peril even the most dispassionate English commentators should expect the United States to disregard its obligations and its interests as a pacific trading community, to forswear its own traditions as the champion of the freedom of marine commerce during war and to allow its policy to be determined by an unprecedented and purely British interpretation of the legitimate scope of marine belligerency. Many intelligent Americans were perfectly willing to gratify British expectations; but fortunately neither the administration nor American public opinion as a whole agreed with them. Great as is American popular sympathy with the Allies, officially we are neutral, and as neutrals our responsibilities have been clear. While their fulfillment may be a thankless task, it must be performed loyally and thoroughly.

Assuming that the American government and public opinion were obliged to take a line of their own, Englishmen should be willing to admit that they have not done so in an offensive or troublesome manner. Apart from the vociferations of a certain number of pro-German or anti-English irreconcilables, there has been no attempt to exaggerate the differences between the two countries, to indulge in ill-tempered recriminations, to foment agitation against England, or to allow the official protests to become dangerously embarrassing. Americans have done nothing to remove the controversy from the region of amiable and good-tempered diplomatic discussion. A policy of commercial retaliation has scarcely been suggested. No responsible person has thought of going to war. Public opinion has not even considered the application to Great Britain in her hour of danger of any measure of compulsion.

The way in which American opinion has taken this controversy is as significant as it is unprece- dented. When controversies between the two

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and with an explicit threat of an appeal to arms in the event of an irreconcilable difference. During the Civil War we were brought to the verge of hostilities with Great Britain, because the commander of an American war-vessel seized two Confederate commissioners from a British ship. War would have certainly followed a refusal by our government to surrender Mason and Slidell and to express regret for their seizure. In 1895 President Cleveland was equally uncompromising and bellicose. If Great Britain had not agreed to arbitrate the dispute about the Venezuelan boundary, this country was morally prepared to fight. In the case of the present controversy, the American interests and policies compromised by the British treatment of neutral commerce are as important as those for which Great Britain was contending in 1862, and more important than those for which President Cleveland was contending in 1896. The United States cannot abandon its traditional and its legitimate interest in the freest possible movement of international trade in time of war. Neither can it submit without protest to the unrestricted aggrandizement of belligerent sea-power. These issues involve the ultimate security of the United States as well as that of Great Britain. Yet though Americans have not the slightest intention of waiving these questions, neither have they the slightest intention of allowing the controversy to bring with it the danger of commercial or any other kind of hostilities with Great Britain.

To the military-minded such an attitude will seem to be both contradictory and pusillanimous. They will insist that in international controversies a nation must be willing to back down, to compromise or to fight. In the case of serious controversies with the majority of nations they are right. To protest seriously, for instance, against Japanese aggrandizement in China, unless we are ready to enforce the protest can result only in national discomfiture and humiliation. Japan considers her interests in China paramount and will not tolerate any embarrassing interference. In dealing with her, Americans must remember that Japan is accustomed to consider war as an instrument of foreign policy and in her own eyes might have much to gain from a successful war with the United States. A strong difference of opinion with other aggressive and alien powers might incur a similarly dangerous liability; but it is not so in the case of Great Britain. Our relations are peculiar in a sense and to an extent which the great majority of both Englishmen and Americans scarcely realize. Their peculiarity does not consist in the absence of possible and probable differences of opinion; they have reasons for mutual adjustment. Their relation is one both of rivalry and dependence; but the dependence lies deeper than the rivalry. The two nations are so necessary one to another that any idea of settling their differences by war has by common consent become as malign and barbarous as would be the idea of settling ordinary domestic differences of interest and opinion by revolutionary violence.

These considerations explain the present attitude of the United States towards Great Britain. Our country does not intend to yield, yet it refuses to consider the possibility of fighting. It is treating Great Britain just as one party or class within a nation treats another ruling party or class with whose opinion and policy it disagrees. The differences are not abandoned, and so far as they concern essentials they are not compromised or arbitrated. They are firmly asserted, and the assumption behind their assertion is that as the result of agitation and discussion a just protest against the official policy will prevail. The ruling power is given the credit for being open to conviction and for willingness to conciliate a resolute and reasonable opposition. American public opinion has confidence that in the long run Great Britain will not persist in converting a preponderant naval strength into a practically unregulated power of life and death over the commerce and consequently the security of other nations.

Much has been written about the strong bonds of interest, association, tradition and mutual understanding which unite the two countries, and much of that which has been written is true. The background of association, tradition and understanding enables the two countries to differ radically without incurring by their differences the liability to mutual suspicion and apprehension. Such differences are wholesome, provided they have a real meaning, are frankly expressed and fairly considered. Their expression is necessary to the proper adjustment of British and American policy. In the present instance the difference runs very deep. It was necessary to give it frank and full expression in the interest of the independence and security of the United States. It will continue to be asserted, but it will not be pushed until after the war is over. Its assertion in this way, so far from being an evidence of unfriendliness to Great Britain, is an indication that the United States is willing to risk German ill-feeling and its own essential interests as a pacific trading nation upon the ultimate reasonableness of British policy. It is proof of our confidence that in the long run Great Britain will not stick to a policy which will make

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Another Step to China

PRESS despatches from Peking report that Japan has now demanded from China a certain share of the control—not exactly defined in cables—in the Chinese Customs Service and in the administration of the Salt Gabelle. The Chinese Customs Service originated in an agreement entered into in the later 50's by the British, American and French Consuls at Shanghai. In its present form it was the creation of Sir Robert Hart, for many years Inspector-General. It has been recruited from Europe, from Japan and from the United States, and performs a highly important and varied task in collecting Chinese revenues. It is the principal security for the larger portion of China's debt, and under an agreement with the British Government an Englishman is to be the head of the Service so long as the British trade with China exceeds that of other nationalities. The administration of the Salt Gabelle was placed under foreign control as one of the provisions of the so-called "Reorganization Loan," more popularly known as the "Six-Power," which upon the withdrawal of the American Group became the "Five-Power" Loan.

A remarkable organization has been built up by Sir Richard Dane, for many years in the British service in India, who is assisted by British, German, French, Russian and Japanese subjects. If the reports from Peking be true, the concern with which British and European interests in the Far East have watched the development of Japan's recent policy will be greatly increased. What is apparently taking place is but the inevitable consequence of the lost balance in Eastern Asia, which culminated in the fall of Tsingtau and which was analyzed by THE NEW REPUBLIC in November last. We must confess, however, that we are somewhat astounded at Japan's temerity. The Powers are, it is true, hopelessly involved in Europe, and the present Japanese Government has received overwhelming endorsement in the recent elections. Now apparently even the thought of that caution which might later have facilitated borrowing in Europe has been abandoned. Tokyo may feel that, since the British and French governments have determined to conserve their financial resources for the prosecution of the war and the period of readjustment to follow, there will be little possibility for some time to come for Japan to obtain funds in the London or Paris markets. Japanese statesmen have doubtless asked themselves, "Why be good for nothing?" and have apparently decided that a Chinese bird in hand is not go to war with Japan to preserve the integrity

In the meantime we read of an American note which apparently caused no more than a ripple on the relentless stream of Japan's imperial policy. The typewriters have clicked, the cable companies have gained their tolls, a courteous remonstrance doubtless entirely satisfactory to the author thereof has presumably evoked an equally courteous reply—one which was satisfactory to the senses both of propriety and of humor of those gentlemen who are giving to the heretofore yellow map of China the brick red of Japanese cartography. In the notes exchanged between Mr. Root, as Secretary of State, and Baron Takahira, the Japanese Ambassador, it is provided that "the policy of both governments, uninfluenced by any aggressive tendencies, is directed to the maintenance of the existing status quo in the region above mentioned, and to the defence of the principle of equal opportunity for commerce and industry in China"; and further, that "should any event occur threatening the status quo as above described, or the principle of equal opportunity as above defined, it remains for the two governments to communicate with each other in order to arrive at an understanding as to what measures they may consider it useful to take," i.e., for safeguarding their mutual interests and preserving peace in the Orient.

When the war broke out, and particularly when Japan advised Germany to evacuate Tsingtau with a view to its ultimate transference to China, it was possible to anticipate the very course which events subsequently have taken. The American government at that time, upon the basis of the Root-Takahira notes, might have politely suggested to Japan that in view of the disorganization of world politics the two governments might properly consult as to joint measures for safeguarding the status quo in the Far East with particular reference to the preservation of the integrity of China and to the maintenance of the "Open Door." In all probability such a communication would have had little effect. There is a chance, however, that it might in some way have served to mitigate the inevitable. But once the Japanese demands had been presented at Peking, a protest from the United States was bound to have one of two results—either it would have been successful, and Japan would have retired from the position which she found to be untenable and the Government of the day would have been buried beneath the angry resentment of the Japanese public, or else Japan would pursue the even tenor of her ways and another American protest would be disregarded. Since it is well known that the United States would not go to war with Japan to preserve the integrity

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The Bill of Rights Theory

TO accuse our statesmen and lawyers of being *doctrinaire* may sound strange. Freedom from academic theories passes among them as a badge of respectability. Yet if ever the affairs of a nation could show the triumphant march of an *a priori* theory over the bodies of prostrate and helpless facts, it would be the progress of the theory of the bill of rights embodied in our American constitutions. Though ours is the only system of government that ever attempted to restrain its legislature by a bill of rights, American lawyers, from Marshall to our own day, speak as if judiciously enforced restraints on the legislative power were the eternal essence of all civilized government. The actual attempt to give a definite legal meaning to such vague phrases as due process, public purposes, just compensation, police power and the like, has made our constitutional law such a bewildering maze of legal complexities that not even the most trained lawyer can tell with certainty whether a given statute will be declared constitutional or not. But in spite of this, in spite of the growing disrepute of the law and of the increasing hostility to the courts on the part of a large portion of the people, our lawyers continue to repeat both the oft-refuted theory that courts have nothing to do with making the law what it is, and the solemn fiction that all the courts do is to declare the pre-existing will of the people.

In the seventeenth and the eighteenth centuries when people were struggling against the abuses of monarchy, the theory of natural rights arose and proved a powerful weapon against established abuses by inducing men to appeal to rational principles of what ought to be. In their struggle against the claims of the British Parliament, American publicists elevated certain supposed common law and statute rights of Englishmen into the eternal natural rights of man. As legal history was not and is not yet the strong point of our jurists, the view has prevailed that our bills of rights are simply declarative of the principles of all free government, or at least of Anglo-Saxon government, and are more fundamental than all statutes or even written constitutions.

The prevailing interpretation of these bills of rights has been the offspring of a happy union of Calvinism and the old *laissez-faire* economies—of the belief in the total depravity of man's political nature and an abounding faith in grace through man's unregulated economic activity. In his life of Washington, John Marshall testifies to the fact that to our ancestors "the mere fact that power might be abused was a conclusive argument that that government is best which governs least, and that all restraints on the government must be good—a doctrine appealed to as axiomatic a few years ago by Judge O'Brien in the case of People v. Coler.

In practice the provisions of our bill of rights, especially the provision that no man shall be deprived of property without due process of law, have proved charters for courts to review all social legislation and veto that which they considered unjust. If judges were experts in all the complex social questions on which they have to pass, and sufficiently acquainted with popular needs, this might conceivably be a useful institution. No candid man regards our perennially green legislatures as perfect instruments for useful law-making. But the theory underlying our bill of rights, that only courts can be trusted to safeguard the liberties of the people, finds no basis in the general experience of mankind. Legislatures have greater resources of information; they do not have to make all their legislation retroactive as the courts must necessarily do; and being more representative of the different elements of the state they are more responsive to the actual needs of the day.

To American lawyers the existence of civilized government without legal (*re*-judicial) restraints on the legislature seems an impossibility. But familiarity with the government of England, France, or Switzerland indicates that legal restraints are frequently not as effective as political and general moral restraints. Our own liquor legislation shows that despite all constitutional safeguards courts will not protect private property when the latter takes a form objectionable to the great mass of the people. Certain it is that respect for law is not as well developed, nor crime as infrequent, here as in England. Life and property are certainly as safe in France and Switzerland as they are in this country. To be at the mercy of legislative majorities seems a horrible nightmare to American jurists. But why should it be inherently worse than to be at the mercy of judicial majorities? A change of opinion on the part of a single judge after the rehearing in the Income Tax case in 1895 dislocated our whole revenue system, brought about a grave crisis in our government finances, and necessitated a tariff policy different from that which would have been followed if the original decision had remained.

Orators more interested in national edification than in painful accuracy speak of our form of government as the envy of all other peoples. But though the American system has been thoroughly studied abroad, the doctrine of judicial supremacy

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Swiss, for instance, copied several features of our federal system, but they did not think it wise to give their federal courts any such power as we give ours. Those who know us best, the English and the great self-governing British colonies, like Canada, Australia, or South Africa, have never evinced any desire to adopt our method of government by bills of right interpreted by courts.

To be sure, Gladstone, whose appreciation of American conditions was never very keen, was persuaded to introduce a clause about life, liberty and property and due process of law into the Irish Home Rule bill of 1893. But when the son of an expatriated American, Mr. Astor, proposed and introduced the same clause into the Home Rule bill of 1912 it was vigorously rejected. Mr. Asquith in a powerful speech pointed to American experience as an impressive warning against such an attempt. "The generalities of the American Constitution," he said, "are full of ambiguities, abounding in pitfalls and certainly provocative of every kind of frivolous litigation. . . . What is cruel and unusual punishment? What is equal protection of laws? What is just compensation? All those adjectives are really matter of opinion, or they are matter of bias, or inclination or judgment which cannot be acted upon by anything like settled rules of law. Standards of equality are varying." (Parliamentary Debates, Oct. 23, 1912.) In this position Asquith was enthusiastically supported by the whole Liberal press, which pointed out that the American system chokes the courts with litigation, and makes people uncertain as to whether they should or should not obey a statute before the courts have finally passed on its constitutionality.

Against the charge that the bills of rights produce too great a strain on the judicial power, that they are vague and productive of an enormous mass of litigation and legal uncertainty, the defenders of our juristic system bring only *a priori* arguments. Thus the advocates of our system of constitutional restraints really consider self-restraint in itself a good. Doubtless hasty action is to be regretted, and habits of reflection and deliberation before acting are good, provided we do not carry the deliberation to the extent of losing opportunity to act. If I tie a heavy stone around my neck I shall doubtless not be able to run, and therefore I shall be safeguarded from the risk of falling. But then I shall not be able to save myself when my house is on fire.

The defenders of the doctrine of constitutional restraints should be able to quote a larger number of actual instances where the exercise of constitutional restraints has actually led to wiser and more

two cases which have aroused the most discussion in the last twenty years, the Federal Income Tax decision of 1895 and the Ives case in this state, no one contended that the delay of eighteen years in one case and of four years in the other achieved any socially desirable end. If constitutional restraints are to be justified, they must, like other human works, be justified by their fruits in human experience. The only argument from experience that we are familiar with in this connection is the argument from prosperity. Our American system must be the best, it is said, because under it we have prospered as no other nation ever has. But this argument students of logic frequently quote as an example of the fallacy of *post hoc ergo propter hoc*. Because prosperity has followed the adoption of our peculiar constitutional rêgime, it does not follow that the latter is the cause. It may well be that the unparalleled abundance of natural resources and our social rather than political democracy are the main cause. Moreover, it is an open question whether a less individualistic theory of government would not have reduced the frightful waste of natural resources of which we have only lately become aware. The theory that each man has absolute rights over his own property is not sufficient to compel men to cooperate for the common good. Finally, the argument from past prosperity is a very dangerous one because of its partisan character. It appeals only to those who are satisfied with their share of prosperity.

Professors of logic teach our young men that a single fact is sufficient to refute an elaborate theory. In practical life facts are not so potent. Although nations, like individuals, do not readily give up a habit or theory because it is shown to be irrational, there is no reason why free men should continue to worship at its shrine.

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The Close of the Eighth Month

THE fact that the eighth month of the war contains three events of unmistakable disadvantage to the cause of the two Kaisers—the attack on the Dardanelles, the British victory at Neuve Chapelle, the Russian triumph at Przemysl—clearly foreshadows what the estimate must be.

Never in modern history were the conditions of a war, of a gigantic national adventure, more clearly laid down than those which the Germans accepted last August. With their Austrian ally they numbered some 120,000,000. Russia, France, Great Britain, in their European populations were almost twice as numerous, and behind each lay the resources of Asia, Africa, America, in white, yellow and black troops. On water the supremacy of Germany's foes was overwhelming. Finally, such was the composition of Austria that it was inevitable that if the Dual Monarchy met with disaster, it would have to face the possibility of an attack from Italy and Rumania, less courageous but not less hungry than little Servia.

In these conditions Germany must win promptly, if she were to win at all. When Napoleon entered the Waterloo campaign his whole chance of success lay in an offensive which should dispose of British and Prussian troops before Russian and Austrian could get up. His imperial fortunes rested upon the single chance that he should win decisively in Belgium, that he should defeat the separated Prussian and Anglo-Dutch-Belgian armies in detail. His failure doomed the First Empire if Waterloo had been but a drawn battle.

The Kaiser's gamble was far more colossal in numbers and resources employed, but it was the same gamble in principle. Napoleon failed to crush the Prussians at Ligny, although defeating them; Ney was less successful at Quatre Bras. In the same fashion the Kaiser's generals failed against France at the Marne and the Yser, against the Russians at the Bzura. Both armies of his opponents were in the opening campaigns heavily defeated, but they "lived." This, for the Allies, was the sole and simple problem of the first phase.

German effort on the west came to a complete halt on the whole front on November fifteenth, the day that saw the close of the Battles of Flanders. Before the end of the year there was a similar pause in the east. There an overambitious Russian thrust into East Prussia was presently beaten down heavily at the Masurian Lakes, yet the German pursuit in turn lost its driving power in the swamps and forests west of the Niemen and north

Meantime the inevitable consequences of continued Austrian disaster were beginning to be felt. Italy once more plucked up courage to plan for the reunion of her lost lands of the east. Rumania began to look anxiously over into Bukovina and Transylvania. Even more serious was the consequence of Turkish disaster culminating in peril to Constantinople. Sullen Bulgaria would not move, or permit her neighbors to move while the chance of Austro-German success remained. But before the eighth month closed she was looking south to Adrianople rather than north to Silistria or west to Istip.

All over the world, too, the little annexes of the German scheme were going by the board. The South African rebellion had spluttered out, and loyal troops under Botha were moving across the Kaiser's west African colony. French and Belgian colonial troops had broken the brief hold of the Germans from Kamerun upon the Congo and the Sangha. In the Far East Japanese and Australian expeditions had reduced the final outpost of *Kultur* along the Pacific. On the seven seas the last of the brilliant but unavailing adventurers seemed soon to be beaten down, and the German dream of a future along the sea was temporarily obliterated.

As it worked out, it is impossible not to marvel at the wonderful grandeur of the German dream. Because of it there is fighting now from the Meuse to the Euphrates. South America had heard the guns of contending fleets. Carefully planned revolutions have been undertaken in Egypt, in South Africa, in Singapore. Coincident with German entrance into Paris, with the crushing of France and the reduction of Russia, there were to spring up new disturbances the world over. But always there was the essential antecedent condition that Paris should fall, Russia lose, Germany dominate the Continent.

After eight months, what remains of the dream? As the month was closing, 120,000 Austrians laid down their arms about Przemysl, and Italian mobilization answered the reveille of the Allied fleets at the Dardanelles. More than four months, half the period of the war, brings the Germans no nearer success in the west than in November, no nearer Paris than on September twelfth. Meantime the British hosts are in fact beginning to take their places in the Allied line in France and Belgium. From America the tide of supplies, arms and ammunition sent to the foes of Germany increases steadily

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that the last hope of Germany's success is vanishing, has vanished? East and west she is outnumbered, where, when numbers were with her, she could make no progress. About her Austrian ally, about her Turkish friend, there are gathering those birds whose approach is the promise of death. Her revolutions in British colonies are things of the past, but from Constantinople each report brings new suggestion of a rising that will remove Teutonic domination at the Golden Horn. On water her losses far exceed, in relation to the total strength of her fleet, those of England and France.

Of itself the fall of Przemysl was not much more considerable than the German success in the Masurian Lakes. But its real value was moral. It advertised to the whole world, to the Germans quite as much as their enemies, that Russia had not been crushed, was not about to abandon a struggle in which she had borne the brunt through terrible disasters. Defeated Russia had been cheered by the news of the attack on the Dardanelles; victorious Russia burst into a mighty pæan of thanksgiving as the Galicia fortress hauled down its colors.

To the American the analogy of the Russian and British victories must necessarily be Gettysburg and Vicksburg. These two triumphs on widely removed fields told the world that the South could not win. After them the neutral powers made their decision. After them the North knew, the South feared, the end. The Confederacy, like Germany, had to win promptly, if at all. Nothing was surer than that if the war were long protracted, numbers, wealth, the control of the sea, would mean victory for the Lincoln government. Intervention by Europe might come with great victories, but precisely as Italy and Rumania are now inclining to the anti-German alliance, Europe took its own position on the news of Vicksburg and Gettysburg.

Measured by any evidence now at hand, the German cause is lost. It was lost at the Marne, but the real demonstration of the loss is found in the cumulative testimony of the eighth month. Przemysl will take its place with the great battle in France in the first weeks of September. The outcome of the battle of the Carpathians, proceeding as these lines are written, if unfavorable to Austria, may precipitate the collapse of the Dual Kingdom by summoning to its foes all its hungry neighbors, but an Austrian success now may delay what it cannot permanently prevent.

As the spring campaign opens there is no mistaking the portents, no misreading the omens. Autumn may not find Allied armies across the Rhine or the Oder. Belgium and France may then as Paris, London and Petrograd have no longer to doubt; their confidence is absolutely unmistakable. As for Germany, is it too much to see in her recent appeal to the torch in Suwalki a blind wrath that comes with the dim realization of approaching ruin? When they do realize as a nation what the world now believes implicitly, will the Germans lose their heads, as their enemies have long predicted? Certainly the spring campaign opens with a promise of savagery which may well awaken apprehension everywhere.

FRANK H. SIMONDS.

The Bogie Hole

WHEN I was a boy, at sea with my father, we went one voyage to Newcastle, New South Wales. There I became acquainted with a chap of about my own age, the son of the American Consul. One day soon after our arrival he took me home with him. They lived far back from the harbor, on rising ground; my sense of direction, added to the study which I had made of the chart of Newcastle, told me that we were heading towards the ocean outside the point, but a street was not my natural element, and I felt that I must be mistaken. The sights of the land were strange and confusing. Later, as I sat on the broad veranda, my eyes were agreeably surprised to catch a distant glimpse of the Pacific horizon. The road ascended a gentle grade in that direction, and seemed to end abruptly some distance beyond the house; I wondered if the brink of the cliff might be there—if the ocean might be close at hand, concealed by the shoulder of the land. At length I put the question; my friend jumped up.

"Come on!" he cried. "You haven't seen the Bogie Hole!"

We started on the run, and came out suddenly on the brink of a high precipice, hanging above the sea like the bows of a tremendous ship. The outlook was magnificent; a wide arc of horizon, a brilliant panorama of ocean thick with arriving and departing sails. Far below, the surf thundered with a steady voice; the noonday sun flooded the scene with that dazzling brightness which seems to belong more to the sea than to the land. Through the clear, quiet air, and from such an altitude, vessels appeared much nearer than they were. One could scarcely realize that on those distant decks men were shouting their orders, and the clamor of their work was going on; even the steamers, trailing their smoke on the water, stole by without a sound. The long Pacific swell seemed as insignificant as a ripple on a pond. I was reminded of a

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commerce of the world; a broad ocean shown from continent to continent, its surface dotted with every kind of craft in magnified proportion.

Following the margin of the cliff a little way, we came to a course of steps hewn in the solid rock. They dropped diagonally down the face of the precipice, and seemed to vanish in a cave-like shadow at the base of the cliff. My friend dashed forward and down the steps without a word, leaving me to follow at my discretion. I reached the top step, and hesitated; then I made out a group of naked boys disporting themselves on a ledge of rock below, apparently in peril of the bursting swell. The scene opened before me as I descended; at the foot of the steps I paused again, dumb with delight and incredulity, beholding for the first time the wonder of the Bogie Hole.

This swimming pool lies close under the towering cliff, directly facing the Pacific, entirely cut off from any other view; the most remarkable, the most utterly romantic haven that ever boy enjoyed. It owes its situation to a mighty geological formation. Along that section of the coast of New South Wales runs a stupendous upturned stratum of rock; the sea for many miles is confronted by a series of massive fortifications. Huge buttresses, supporting the upper works, extend boldly into the ocean. On reefs and ledges the powerful swell breaks incessantly in swirling undertow, flinging its spray in sheets against the impregnable bulwark of the land. Above the Bogie Hole the precipice leans seaward; and here, before the hand of man had changed it, lay a table of rock at least a hundred feet in width towards the sea, some several hundred feet in length alongshore, and high enough above sea-level to escape the body of the swell.

The pool itself is blasted from the living rock, to a depth of six feet and more. Its only possible approach is by the course of hewn steps down which we had come; ragged ledges flank it on either side. A wall of the natural rock guards the seaward side of the pool, topped by a row of iron stanchions and festooned by a heavy chain-rail. Crests of green seas burst constantly through this open protection, swinging and rattling the chain, and falling into the enclosed basin. No other supply is necessary; the shelf lies at a perfect elevation for the purpose; and all day long the top of the booming swell launches itself across the rocky barrier, renewing the water from the exhaustless reservoir of the Pacific, sluicing down the surrounding ledges, flecking the pool with foam. Clouds of spray fly singing through the air.

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of that heroic place; the view of the ocean is intermittently obscured by breakers, rearing and vanishing in the same instant of majestic beauty. During heavy storms, when bathing is forbidden and the Pacific reigns in terrible and solitary supremacy, the surf has been known to fling live sharks into the Bogie Hole.

Withal, the pool is as safe a place for bathing as any strip of sheltered beach. The danger in the air serves but to heighten its attraction. Of the same alluring nature is the absolute seclusion of the spot; the port of Newcastle lies hidden around the point to northward; to southward, stretches of rock-fronted unhabitable coast; the lighthouse on the Nobbys is the only sign of man in sight, except the enchanted vessels passing to seaward. These lend the place its final charm. Tired of swimming or other play, a boy may crawl out on the rocks and sun himself awhile, watching the ships through half-closed eyes. They nose out past the Nobbys; they turn to port or starboard, setting their magic sails; they vanish up the coast, they pass close by, they dwindle and are soon hull-down on the clear horizon, sinking one by one along the mysterious reaches of the sea.

I have wondered who first called it the Bogie Hole; the name is significant. I have been there late of an afternoon, when the sun was dropping behind the cliff; and looking around me at such a time, have felt the grip of terror on my young heart. Shadows enveloped the black rock ledges; the spouting foam of breakers, no longer touched by the brilliant sunlight, took on a tone of sombre, chilly grey. The air grew cold; the voice of the sea had acquired a threatening note. Fear crept about the ledges. Boys grimly taking their last dip glanced up in apprehension as the sharp spray lashed their faces, and suddenly losing courage, made for the shelter of the dressing-ledge before the next wave could reach its hand into the pool. The spirit of play quickly died out; and we who had been brave and careless in the sun fell back, as better men than we had done, before the menace of a darkening sea. At that hour we used to dress quietly and steal away; shuddering, perhaps, as we regained the daylight of the upper steps and glanced back at the gathering gloom of the Bogie Hole.

The time to see the pool in all its glory was in the morning, when the sun stood high over the sea. Boys gathered there as if by magic, playing naked the whole forenoon. The rocks were warm, and slippery with salt spray. By that time the chill was burned out of the water; crowds of young urchins ducked and ran screaming before the on-

certain daring boys climbed out along the sea-wall, hanging there by the chain-rail, and holding their breath as the crests of rollers passed over them in a smother of foam. The hot sun streaming into the caves among the upper ledges made pleasant retreats for the exercise of confidence and speculation. The waters of the pool sparkled with ocean clearness and purity. Lithe white bodies gleamed in the dark ground of the rock in statuesque and charming attitudes. The deep blue color of the ocean filled the eye. Flocks of dazzling sea-birds wheeled above the outlying reefs. The noise of the surf mingled happily with the clamor and shrill cries of boyhood at play. From that sacred spot a native, tireless pæan of youth, high spirits, and the urge of life, went up to the gods. And hour by hour, as we played, ships passed on the face of the sea in stately procession, under the steady glow of the sun.

I cannot say that the boys of Newcastle are different from other boys about the world, but I feel sure that in some vital, unseen part they must acquire a priceless gift from the Bogie Hole. That free, romantic prospect of ocean must stir and swell their better dreams; that air charged with wind-blown spray must clear their hearts of many moods and influences. They meet the sea like sailors; they come to know its sounding voice; a manly boldness surges in their blood as they play naked at the feet of nature and the elements. In moments of repose they see the ships of nations pass before them, freighted with fancies, off on long, adventurous voyages, bound for foreign lands. Perhaps few who play as boys in the Bogie Hole will follow either adventure or the sea; but all will have their memories, and all, I trust, their high adventures of the armchair. It is seldom given to men to remember such a playground, in the days of their bondage and infelicity.

LINCOLN COLCORD.

Prisons as Pleasure Resorts

SO much has been written about prison reform recently that it is becoming a pastime with some editorial writers and humoristic space-fillers to deplore the alleged tendency toward turning the prisons into pleasure resorts. Some of them seem terribly afraid that we may become so humane in our treatment of our so-called criminals that men may be trying to break into jail in preference to enjoying their status as free workmen in our admirable industrial society.

It is a bad thing for prison reform to permit this idea to grow, and while it may be that some advance is being made toward a saner treatment of the men and women locked away in the prisons of this country, in the state of New York, at least, this advance is so slow as to be almost unnoticeable to those who are in the best position to observe it. That means the prisoners themselves, because only those who have actually to endure the prison existence are qualified to testify as to what extent conditions in the prisons have improved.

In spite of all the newspaper stories of great reforms, I can assert, as a result of my own experience and observation during a year spent recently in Auburn prison, that most of this vaunted reform is a myth, and that this state is still one of the most barbarous in its treatment of its so-called criminals.

It is true that much of the atrocious corporal generally discarded in most American prisons, but in Auburn, at least, the terrible crushing discipline that has replaced those methods is many times more devastating in its effect upon the prisoners. Those severe punishments were meted out to only a few of the prison population; but all suffer from the discipline.

The prison discipline has the effect of pounding out of the prisoner every trait and characteristic the retention of which might make him a strong and self-reliant individual. It is a system of repression; and from the moment a man enters the institution he is effaced as a man, and steadily ground and crushed into a thing which is less than man, so that when released into the struggle of our present social life again he is unfit for anything but the underworld.

This is the crime of the prison system, and the terrible significance of it only becomes apparent when one considers that thousands of men and women are passing through the prisons of this country every year, making up a constant and ever-increasing stream of broken beings pouring into society, demoralized and degenerated, choking up the channels of racial progress.

I found that this fact does not seem to impress very deeply the reformers. They talk about it, but little is done to remedy the condition. And while the prison system as a whole cannot be ef-

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changed so as to prevent the wholesale degradation of the race now resulting from the prison system.

First it is a matter of physical surroundings. Auburn Prison is an antiquated Bastile that reeks of a hundred years of rotting life within its walls. The cells in which the convicts must spend fourteen hours of the day are actually vaults, set back into the great solid block of masonry within the shell of each cell-hall or wing of the prison. These vaults, five tiers high, are dark, damp and disease-ridden. They are six feet three inches deep, three feet five inches wide and six feet five inches high, with a narrow slit for a door through which a large man would have to squeeze sideways. The door is the only opening, and it is heavily barred and cross-barred.

There are no sanitary conveniences, the system of iron buckets used a hundred years ago being still in vogue. The cells are alive with vermin that render sleep impossible until one has become hardened to the bites. The dim light from weak electric incandescents impairs the eyesight, while foul air attacks the lungs with a ferocity that results in forty per cent of the convict population feeding the ranks of the country's consumptives.

The mental terror of the cell life is more subtle and difficult for one who has never experienced it to comprehend, but it is nevertheless intensely real and destructive in its effect on the inmates. There is an appalling number of suicides (a recent investigation reported twenty-eight in Auburn for one year), and a still more appalling number who attempt suicide and fail, or who just become madmen and are transferred to hospitals for the criminal insane. In one week in cells but a few feet from mine two men committed suicide and two more tried and failed. One of those who failed had developed a shockingly gruesome mania. One night he cut a piece of flesh out of his calf with a knife he had secured, and was sitting on his bunk chewing it, the blood pouring from his wound, when he was discovered by the guards. The other fellow who failed tried to burn himself up and had fired his bedding. He was sitting in the midst of the flames, laughing, when they found him. The two who succeeded hanged themselves. One of them chose that method of escaping punishment in the dungeon. He had been reported for some petty violation of the rules and was to appear before the Principal Keeper in the morning for punishment. During the night he was heard to say, "I'd sooner face the devil than the P.K.," and then he hanged himself upon the bars of his cell-door. This may convey some idea of the character of the

There are no figures that can give an idea of the breaking down of mentality among prisoners, because the condition is a general one, and I have myself observed, in the year of my imprisonment, many men who come in, alert, bright, brainy fellows, gradually weakening from day to day in mentality, becoming foolish and simple, too harmless to be considered insane yet unquestionably deficient.

The isolation, the inhuman restraint, the constant wearing of the nerves, causes the prisoners to become addicted to drugs, which are always to be had if one gets "in right" with the "stool-pigeons," who serve as trusties, and enjoy special privileges and favors from the authorities. Some of them are notorious in the prison as "dope fiends." It is common rumor among the prisoners that drugs have been brought to a little circle of trusties by a man sent to Auburn as a special agent of the State Prison Department to institute certain improvements.

It was reported a year ago that the "jail" or punishment cells had been abolished at Auburn, but we who were inside knew that not only had they not been abolished, but that there were more men in the dungeon than for a long time previous, and that some of the methods of punishment instituted by the Mutual Welfare League, supposed to be controlled by the prisoners themselves but really controlled by the prison administration, were more vicious than the old forms that the "reformers" make speeches about.

That the prison guards are becoming "civilized" and "human" is also a fabrication of the press agents. One of the most beastly assaults upon a helpless sick prisoner occurred one night in a cell two tiers above mine. Mr. Thomas Mott Osborne, who was spending his week of voluntary imprisonment in Auburn at the time, and so heard the beating and strangling of the boy, told me personally that he would leave no stone unturned to have the two guards, Murphy and Benedict, who were guilty of the bludgeoning of the prisoner, disciplined. These men are still on the job at Auburn, and one prisoner who saw the whole affair and testified against them has lost the position he held as a trusty, the result of seventeen years of good conduct, and up to the time I left the prison had been confined in his cell for eight months.

The slight changes that have been made toward better treatment of the inmates at Auburn are insignificant compared to the mountain of inhuman conditions that still remain undisturbed. No effective advance toward the prevention of the systematic soul-murder now carried on by the prison system can be made until cellular confinement is entirely

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able ideal, but the prison authorities have so thoroughly diverted it from its intended purpose that it has resulted only in adding to the combination of things that make for the demoralization of the inmates.

In Auburn I was looked upon by the convicts generally as being rather different from the rest of them, a sort of political prisoner, the victim of an attempt by the mill-owners of Little Falls and by the police to crush labor, and it might be felt by many that this condition makes my impression of the effect of the prison reform movement hardly that of the ordinary prisoner; but if ever I felt that there was any real difference between a criminal of my type and the average convict, my year of association with the men behind the bars has swept that feeling away. For a year I marched in the line with my brothers, worked in the shops, slept in the "caves" and "stoked up" regularly in the mess-hall, and I am satisfied that the "convict" is a victim of a perfectly stupid and malefic system of "retributive justice." The prison system renders it impossible for him to fight back to freedom and usefulness in society. And the fools who fear the so-called criminal seem unable to appreciate the fact that with their prisons they are merely creating a Frankenstein for their further terrorizing.

BENJAMIN J. LEGERE.

Reconstructing Boards of Education

WHOSE employees the twenty thousand and more teachers of New York City are to be, is the issue over which the city's Board of Estimate and Apportionment and the Board of Education are carrying on an altogether well-bred but determined fight. In the meantime "the employees," ranging all the way from young women fresh from the city's training schools and duly drilled in reverence for lawfully constituted authority, to university-bred doctors of both sexes long practised in the art of being superior-officered, remain passive as far as the real issue is concerned.

To the city, administration teachers paid from the city treasury are by the right of dollars city employees. On the basis of three-quarters of a century of largely unchanged conditions in American school control, the Board of Education has come openly to claim teachers as its employees. Whose they shall be after the present legislature adjourns is the question which is exercising the best powers of those who recognize the values accruing to an

That teachers are a factor to which serious reference must sooner or later be made in the disposal of educational control does not seem to have occurred to either contestant, nor has this fact quite penetrated the consciousness of teachers themselves. The result is that while these two forces, a group of political leaders on one side and a group of merchants, lawyers and physicians on the other, are contending for the control of education, the twenty thousand trained educators of the city remain apparently oblivious of their own relation to the problem. To the extent that they connect themselves with the affair at all, it is to take sides with the most promising employer.

The explanation lies in the peculiar development of public school education in America, and especially in the recency of the higher professional training of teachers.

When the schools of the country became organized into systems under state control between the years 1830 and 1850, education as a profession did not exist in America. There being no trained body of persons available under whose direction the schools could be put, the main problem of local school control consisted in keeping the schools as free as possible from the vicissitudes of party politics, and in securing for their direction the services of the most intelligent members of the community. In this way the lay board, with its almost absolute and largely irresponsible power, grew up. The plan has never been materially changed, so that while great progress has been made in American education during its three-quarters of a century of state systems of schools, especially along the lines of higher requirements for teaching, enrichment of curriculum, and improved methods, the direction of education as a local affair is still in the hands of bodies of men chosen for their general character, their influence in the community, or for their recognized efficiency in some special field of activity outside of education. It is as though the state, taking over the closer management of medical procedure, should, with a personnel of trained physicians and surgeons, constitute local boards of medicine made up of men of various callings in the community, who shall be empowered to determine hospital practice and prescribe remedies and operations.

Increasing dissatisfaction with school control is the inevitable outcome of the situation that has thus grown up. That it has not manifested itself before to a disrupting degree is largely due to the slow professional growth of teachers, which in turn is owing to the elementary character of the training provided by normal schools, and the reluc-

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Another element has contributed to defer the time when teachers should begin to assert themselves seriously as determining factors in education. This is the institution of a complex system of supervision by which persons of more or less advanced skill or training have become a sort of middleman between the board of education and the teacher. Supervisory officers, appointed first as county and then as city and town superintendents, and still later as assistants and directors of special branches, have been increasing in great numbers. Those new officers filled two important needs. First, they supplied advice to boards of education and so served to make up for the lack of professional knowledge on the part of the board. Secondly, they performed a most valuable service in the training of teachers. This system of supervision reached its perfection in the last part of the nineteenth century, and is giving way under the same influences that are bringing teachers and boards of education into conflict; that is, under the higher education and professional training of teachers.

The rapid growth since 1900 of departments of education in connection with nearly all of the important colleges of the country, and particularly the establishing of summer schools of education by the leading universities, has put within easy reach of even meagerly paid teachers the professional training which was formerly available only to the few. This advantage, shared in common by teacher and superior and superintendent, together with the experience accessible only to teachers, has made the teacher the master; while the supervisor, cut off from the practice of his own profession, has been left behind, and has come to bear in his relation to the teacher the relation of the amateur to the professional.

This is the situation in the city of New York, and in many other sections of the country where teachers have come consciously to constitute themselves a tribunal before which educational plans and policies come for trial, irrespective of their source. Efforts to suppress the discontent that arises where the activities of skilled workers and thinkers are held under the dominance of those who are less informed are futile. The solution lies in the reconstruction of the plan of local school administration, which was devised in the early part of the nineteenth century, to fit a time when education as a profession and a science did not exist in the United States. The problem is so to organize boards that educational plans and policies shall be determined by those who know most about educational procedure, tempered by the wider social trend of the community and the

end, boards of education must consist of members who are engaged in education, and of members of the community outside the profession. The former group should be made up mostly of members in the actual work of teaching in the city schools, together with persons engaged in the field of educational theory. The other group should consist of persons chosen for their business ability or wide social interests.

The natural corollary of such an act is the elimination of the superintendent as an intermediary between the board of education and the schools. This would hold equally true whether there be only a superintendent, as in smaller places, or many, as in the case of the board of superintendents and their assistants in New York City.

That really able educators could continue to receive their educational plans and policies from a lay board is inconceivable. That men of a high degree of intellectual and social attainment would find sufficient satisfaction in viséing the acts of superintendents to cause them to sustain membership on such a board is not to be expected. Inevitably, with these two elements, either the board of education must be content to assume the features of the much contemned rubber stamp, or the superintendent must take up his dinner pail and prepare to obey orders. In either case education must continue at the level of mediocrity or worse.

The result of the attempted division of authority has been evidenced conspicuously in the open contest of strength carried on in Chicago between the Board of Education and the city superintendent, and in the two-year struggle for place between the same elements in New York City. The same sort of warfare is common throughout the country where educators of the highest worth are driven from their positions because of their refusal to be bent to the purposes of lay boards, or where progressive and able members of boards of education are endeavoring to make devitalized school systems respond to the needs of the community.

Whatever the exact number of members of the board of education in a given place, or whatever shall be the exact proportion of professional and lay members, the vital problem in reconstructing boards of education is to secure the fusion of the highest professional and lay wisdom into unified plans which shall be carried directly to the schools by the professional members of the board. The professional wisdom must be contributed largely by highly trained and experienced teachers, who, whether they want it or not, must, for the good of the society which they serve, be forced out of

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Owen Griffith—A Portrait

ONE trait sharply differentiated Owen Griffith from the familiar type of self-made American business man. He was not only self-made but self-interpretative. He was not only an actor in great events but a commentator. It is perhaps as a social philosopher rather than as a social force that he impressed himself most definitely on the popular imagination. In that sense his career may be said to have begun shortly after he had sold his properties to the Pan-American Aluminum Trust for the sum of $300,000,000, and a year or two before he began to distribute art galleries to every town in the United States having a population of 25,000 and over. As the securities of the Aluminum Corporation, of which he was the principal bondholder, continued to rise in value, Owen Griffith was increasingly in demand among newspaper editors for interviews dealing with the vital problems of the day. It is an accepted principle with managing editors that a controlling interest in any extremely prosperous and heavily capitalized corporation qualifies a man to speak with authority on the family, the conservation of our forests, cancer research, the theatre, and the future of American democracy.

Owen Griffith was always accessible to reporters. He spoke freely and with a cheery optimism which he was in the habit of justifying by frequent reference to incidents in his own career. This, I am convinced, he would do in no spirit of pride. More than any other successful man of the time he was ready to give credit to a beneficent Power that rules the universe, reserving for himself the comparatively humble role of proving, in his own person, that such a beneficent Power existed. In his manner he was, above all things, paternal; with the bluff good humor punctuated by bits of cynical wisdom, the kindly condescension, and the breezy assumption of authority that go with the paternal function, though probably his Welsh blood must have been responsible to a fair degree.

In much that has been written of Owen Griffith there has been a tendency to describe him as a man given to self-glorification. That is not true. He was simply free from affectation and self-consciousness. A countryman of his, the famous Welsh poet Bwwrwns, once uttered the wish that some power might grant us the gift to see ourselves as others see us. But such a gift would really be a calamity. It is one of the necessary conditions of success that we shall not see ourselves through other people's eyes. The effect upon an ambitious man would be disastrous.

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the larger income class. People resented what they called his fondness for assuming the role of exchange lecturer to the universe. But that again was the expression of an intensely sociable, a fraternal nature. He would allow no false standards of reticence to stand in the way of his expressing a lively interest in his neighbor. He assumed that what had been useful for him to know would be good for others to know. What he liked, others ought to like. When he told, with a good deal of merriment, how he had maneuvred the Pan-American Aluminum Corporation into paying him for his properties $100,000,000 more than he expected to get, he was primarily interested in having every one of us share his appreciation of an excellent joke. His broad good humor when testifying before committees of Congress was contagious.

It was not an abstruse humor. He simply had the ordinary man's liking for a bit of fun. Take that very instance of the extra $100,000,000 which the Aluminum Corporation was induced to pay. It was unquestionably a good joke, taken at its face value. It would have spoiled the joke to probe beneath the surface and ask who ultimately paid that extra $100,000,000. Being a simple, democratic man, Mr. Griffith did not probe beneath the surface.

The history of the United States since the great war falls naturally into two periods, the era of accumulation and the era of distribution. Both processes have worked themselves out in this country with an intensity that no other country and no other age can equal. In both processes it was the distinction of Owen Griffith to have played a pre-eminent part. As an accumulator he was surpassed by only one other American citizen. As a distributor he was rivaled by this same citizen, whom, however, he greatly outdistanced if we take into account not only the actual sums of money to which he surrendered title, but the diversity of uses to which he applied his largess. He gave nearly everywhere and to nearly everyone. He began with the famous distribution of free art galleries to cities in the United States and in his native Wales. Thereafter he gave money for the encouragement of scientific research, for the improvement of educational standards, for symphonic music, for professors' pensions, for the reward of heroism, and the support of widows and orphans who are so frequently created by acts of heroism. It is safe to say that wherever the validity of four per cent interest on bonds is recognized, he devoted part of his profits to some philanthropic purpose.

erected temples of peace in both hemispheres. There is the beautiful court of arbitration in the island of Trinidad, where the warring Caribbean republics may learn to meet and compose their differences without such loss to foreign bondholders as accompanies international activities in Latin America at present. There is the far more imposing tabernacle of peace which he erected in the capital of Spitzbergen, where the European powers have been in the habit of meeting in Congress once every ten years for the purpose of framing rules restricting the barbarity of war, which they have thereupon proceeded to test on a very extensive scale.

Reasons will readily occur to explain his intense devotion to the cause of international amity. He knew from daily experience the vast amount of good that can be done through the right use of money, and so he would naturally abhor the wanton waste of wealth which war involves. He would abhor the waste of human life as being wrong in itself and as involving the destruction of human labor which in turn means wealth. But I cannot help feeling that the most potent factor was Mr. Griffith's genuinely cosmopolitan outlook upon life. He was a citizen of the world, and this not merely through the accident of birth and transplantation, but by life-long experience. He had ample opportunity for self-education in his own mills and mines. On the wage lists of the Griffith properties all men and all nationalities were equal. White men and black, native Americans, British, Teutons, Huns, Slavs, Scandinavian and Mediterranean stocks, all had cooperated with Mr. Griffith in his marvelous career of accumulation. It was only natural that these races and nationalities should share in the distributive process upon which he entered with so much gusto. In the industries controlled by Mr. Griffith there was never any inclination to discriminate against the lesser breeds because of their lower standard of living and a consequent willingness to accept a lower scale of wages. Long contact with all kinds of races and men in the manufacturing district about Burkesville—broken by only one untoward event at Homedale in 1892—would naturally predispose a man to a firm belief in the brotherhood of the nations and the desirability of universal peace.

As the world's greatest distributor Mr. Griffith was inclined to be as modest as in the role of the world's second greatest accumulator. Something he would accept as due to personal merit, but in general he would ascribe his benefactions, like his profits, to forces outside himself. He

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come with me for a run to San Francisco. It a certain point the accumulating sponge loses all powers of absorption and begins to exude.

This is another way of stating the doctrine of the stewardship of wealth which Owen Griffith did so much to popularize in theory and in practice. It is stewardship in a broader sense than we usually assign to the word. It does not simply mean wealth held for the benefit of others, but wealth gathered from others for the benefit of others. It is a device for tapping the sources of unconscious philanthropy among the masses. It gathers contributions for worthy causes from citizens who, if left to themselves, would never dream of contributing; either because the idea never occurred to them or because of a mistaken conception that they could not afford it. It is evident, for example, that among the 200,000 employees of the Pan-American Aluminum Corporation there would hardly have arisen the magnificent idea of endowing art galleries, professors, heroes and peace temples, at least with anything like the thoroughness with which Mr. Griffith did the work for them. This is the role in which he preferred to be accepted: as the agent through whom Vaclav Janos Ornithopoulos Bjornson Eliot Smith, of the twelve-hour shift in the Aluminum furnaces at Burkeville, contributed generously to the advance of civilization.

At the same time, I cannot help repeating, it would be unjust to accept Owen Griffith at his own modest valuation. It is true that all great men are accidents, in the sense that they are largely the result of a complex play of forces which happen to focus in their own persons. But, after all, to be the focus, the apex, the culmination, the cynosure, is a notable distinction. It may be accident that I am now writing of Owen Griffith instead of Charles K. Spriggs or Van Twiller Delancey. But that only means that if things were different Spriggs or Delancey could claim the same praise.

What is not so certain is that Spriggs or Delancey would have carried themselves in their high position with the same lack of affectation, the same quick, gusty friendliness and democratic good-will that Owen Griffiths displayed on every occasion. "Don't act like a spoiled child," he once wrote to the Emperor of Japan at the very height of an international crisis. It simply did not occur to Griffith that any other form of address was necessary in speaking to one whom fifty million souls revere as a god but who, in fact, did behave like a spoiled child. "Pitch your dull manuscripts into the fire and run down to my place for a week of golf," he writes to Armbruster Ffoliott, professor of Gothic Literature at Oxford. "Or better still,

Communities for Children

MR. WIRT'S schools at Gary are genuine public schools, in the sense that they provide for evry kind of child in the community and draw into themselves the main aspects of the community life. They are not artificial training-schools for vocations or for life; they are a life itself. To enter the Emerson or Froebel School in Gary—the two superb new buildings constructed by Mr. Wirt—is like coming into a well-ordered city where each citizen is going about his proper business. There is none of that slightly depressing atmosphere of the mild if excellent prison for half-day involuntary labor which is too often the ordinary school. Classes do not seem to be neatly immured in rooms, or to be moving about in lock-step. You are dealing with interested individuals who, singly or in spontaneous groups, are utilizing all the facilities of a lavishly equipped and stimulating community. The tone is of a glorified democratic club, where members avail themselves of privileges which they know are theirs. The schools are public in the same broad sense that the streets and parks are public. The school is the children's institution. They unaffectedly own it and use it as a mechanic uses his workshop or an artist his studio. To go to the schools in the evening and see the children running and playing in the great broad halls—incomparable playrooms—running in now and then to speak to their parents who are studying in the evening school, is to get a new emotional sense of what a school may be. The children do not seem to be there because education is "compulsory," or because the parents send them there to get rid of them, but because what can be done there is so interesting that they cannot stay away.

I am unable otherwise to account for their streaming back in such numbers to the voluntary Saturday schools, voluntary for the teachers, too, who are paid extra for their work. Saturday is a glorified play-day, where one may do anything one likes, from making swords in the wood-shop to studying back work in the classroom. I spent a fascinating hour watching the thronged wood-shop where little boys were fussing with the scraps left from the regular work of the week. It occurred to me then how little real difference there was between the well-to-do home and the very poorest in the way of interesting activities for children. How many homes of the comfortably enlightened classes were fit places to bring up a child? How many even wonderful buildings were running over? Without interesting activities for children, city homes, both rich and poor, can provide only schools for loafing. As between the street, to which the less well-to-do child emerges for interest, and the vaudeville, the "movie" and the current fads to which the well-to-do child escapes, I think the street is probably the less demoralizing.

This Saturday workshop was a little study in spontaneous discipline. Although the children were unwatched, they worked on their own little jobs as indefatigably as if they were under a drill-master. If any little boy became weary and was moved to interfere with another little boy, he was apt to be brushed off as though he were an irritating fly. Could it be that mischievousness, supposed to be an integral part of child-nature, was simply a product of repression or idleness? Could it be that school discipline was largely an attempt to solve problems which artificial rules were directly manufacturing? Visiting superintendents, appalled at the freedom in the Gary schools, tiptoe about looking for signs of depredation. They do not seem to report any. I decided that these schools had actually acquired the "public" sense. It seemed really true that children, unless they were challenged to inventive wickedness by teachers' rules and precepts, were no more likely to spoil their school than a lawyer is likely to deface the panels in the library of his club. This children's community seemed to be enjoying its busy life in the same spirit that the wider public uses its streets and libraries and museums and railroad trains.

This supremely democratic public sense is the motive of Mr. Wirt's genius. All this richness of opportunity—the playgrounds, gymnasia, swimming-pools, gardens, science laboratories, workshops, libraries, conservatories—which this school provides so lavishly, is possible to the public of a small and relatively poor city like Gary, exactly because the schools are managed like any other public service. The modern educational ideal, "to provide a desk and seat for every child," is as absurd as would be one to provide a seat in the park for every inhabitant. No public service is used by more than a fraction of the people at any one time. Mr. Wirt provides the coveted "desk and seat" for about one-quarter of the children. While they are studying the traditional three R's, etc., the rest of the school is distributed in shop

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groups throughout the course of an eight-hour day, Mr. Wirt is able not only to give every child the opportunity of the varied facilities every day, but he is able to accommodate in one school building twice the ordinary number of children. The insoluble "part-time" problems of city schools disappear. The Gary school has two complete schools, each with its set of teachers, functioning together in the same building all day long. In the lower grades the child spends two hours daily in the classroom, an hour in laboratory or shop, half-an-hour in studio, and half-an-hour in gymnasium, an hour in auditorium, and the rest of the day in study, play or outside activity. The older child has three hours for formal instruction, and two hours for more intensive shop or studio work. Children are passing back and forth constantly between home and school, each with his or her own scheme of work, and all the school is being used all the time.

The amount of money thus saved in school buildings alone is so large that even a town like Gary, with relatively meagre school revenues, can afford not only the varied equipment, but also luxuries like special school physicians and nurses, and special teachers for special subjects. Mr. Wirt has been accused of "business efficiency," but this is scarcely the term for so artistically elegant a scheme of economy. When you reflect that it is just because the traditional classrooms are provided for only a proportion of the children that all of them have the varied daily opportunities of many-sided work and play, you are likely to call this "economy," in the old golden Greek sense of the wise management of household resources, so that every member may share alike in the activity and the wealth. Such economy is creative; it enriches, not impoverishes. I have said that Mr. Wirt thought in terms of the rural community, but it is of the rural community and its creative economy, expanded to fill and reorganize the life of the modern city. The school trains the child by letting him do the things the city does. His education is an acclimatization to the wider social life.

A truly public school would let nothing communal remain alien to itself. In the chemistry class at the Emerson School I actually found the children doing the necessary chemical work for the city. The class was simply an extension of the municipal laboratory. Gary, of course, has the good fortune or the good sense to have as chemistry teacher the municipal chemist. The older children act as his assistants. With him the class tests the city water, the various milk supplies of the town. Under the inspector, they visit dairies, workshops, bakeries and food stores [illegible] general information and reports of their tests. I could not see that it was essentially inferior in quality to one that an agricultural school might have issued. When I came upon this class it was testing sugars and candies, from the different shops of the town, for purity and for use of coloring matter. Another class was experimenting with soft drinks, studying questions of solution, suspension and crystallization, with ramifications, I was told, towards the physiological effect of certain products. The children were practically deputy food inspectors, and made reports on the official blanks. The chemist assured me that he had not lost a case in prosecuting for violation of the pure food laws. In east Chicago, where school-children were ostensibly not trained as a vigilance committee in scientific investigations, the chemist could not get a single conviction.

The children also test the materials supplied to the school, the coal, cement, etc., to see whether they come up to specifications. I saw a group trying to make soap for the use of the school. The chemist assured me—college-trained ignoramus that I was amidst this youthful expertness—that there was scarcely a principle of the science, theoretical or practical, that he could not develop from this work, all so directly motivated by the daily life around the children. I wish I could convey the fine calibre of this young chemist as he stood in his laboratory with the children working around him, his clear poise between the theoretical and the practical making him for me the ideal symbol of science working ceaselessly at the world around to make it cleaner and healthier and more livable.

That chemistry class in Gary has a high and momentous significance to me. It was distinctly not play, as all other laboratory work in school or college that I have seen has been play. I was surprised to find how completely the doing of real work banished the amateur atmosphere and at the same time made the work infinitely more interesting. Mr. Wirt says the child is a natural scientist, indefatigably curious and resourceful, quick and accurate. The little children actually seem to achieve less breakage than the older. What kind of a community we are going to have when any large proportion of the children grow up to observe and test the physical conditions under which they live—when they get the scientific-deputy-inspector habit, so to say—and what would happen to some forms of political jugglery if a younger generation got used to thinking in terms of qualitative and quantitative tests, I leave to the imagination. But it seemed to me that that chemistry class was one of the most important activities in

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VERSE

The Mountains of Destiny

THE ice is glassing the rutted roads;
The sun, that comforts the hearts of men,
Shuts himself in his darkening den,
And the wind has its will.

Where shall their feet stay and abide,
Their climbing spirit cease to strain,
If darkness cover hill and plain,
And the wind blow pitiless?

Gods rise, and order earth, heaven and hell;
Pass in their turn to shapeless doom;
Hopes have their day and youth its bloom—
But the night gains ever.

The midges swarming in the sun
Seethe and shimmer and beget.
Thin-lipped Ambition, pale Regret,
All the hopes of the world,

Desire with the sullen eyes,
The fabric of beliefs outworn—
Over them all in silent scorn
Rolls the smothering night.

The patterned webs they weave and weave
Shine for a moment in the rift;
And then, forgotten things, they drift
Into infinite space.

O questing race! have ye no fear
Who quicken while the sun is by,
Who gasp and die, and know ye die?

I am the real; I dream these dreams—
And thou that questionest, I am thou.
Symbols of Space and Time I forge
To knit the fluctuating spheres—
But I am exorcist and seer,
Encompassed by the living Now.

The naked bosom of the sea,
The cool grey shadows of the rain,
The ether-fretting Matterhorn
Swung like a sabre through the sky,
Were void—until my being thrilled,
Impassioned, into love and pain.

Out of this cataclysmal dust
Visions arise and mysteries,
In likeness of my soul's desire.
The dust disjoins and vanishes
Corrupt, but like a vestal fire
The visions in my soul endure.

Warm with the brimming wine of dreams,
The power smouldering in my veins,
Intrepid, uncontent,
Grapples the sheer ascent,
And hails from every vantage-point it gains
A braver yet unconquered height.

CHARLES P. HOWLAND.

The Monk Pauses in His Labor

FOLLOW, follow,
O swift-wing'd swallow,
The springtide call to a new delight.

River-rover,
Leap up and over
The rocks, O salmon silver-bright!

In the garden close
Is the new-blown rose,
And the blossom white on the hawthorn tree;

Wild birds are singing,
The breeze is bringing
The keen, clean smell of the wind-swept sea,

Where the roving Dane
Will launch again
His well-mann'd ships for the Irish shore.

But a Danish sail
Is of no avail
'Gainst the kilted kerns in the battle roar,

When a host of men,
From hill and glen
Sweep down with the strength of a curling wave.

A flash of spears,
And women's tears
Are all that's left for the fallen brave.

But the din of war,
Though loud, is far
From the peaceful toil of a monkish cell;

The open book
In the garden nook
By the great grey house where the brothers dwell.

Swallow, swallow,
Could I but follow
The springtide call to a new delight,

Like the river-rover,
I'd up and over,
[illegible] here the land is bright!

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CORRESPONDENCE

Mr. Barker's Shakespeare

SIR: May I write to your paper to say how much I appreciate Mr. C. Grant La Farge's frank criticism of my work of Mr. Granville Barker's production of "A Midsummer Night's Dream"? That Mr. La Farge has spoken of it as a sincere and thoughtful attempt to decorate Shakespeare's play pleases me—and Mr. Barker—beyond measure, for we can truly say that we have attempted to do a genuine and thoughtful piece of work—to create a setting worthy of a masterpiece of drama and poetry, and have, alack, not always been credited with so doing.

Mr. La Farge's "Communication" is so straightforward that it is really helpful to me. The disappointment I feel at having failed to please him in my efforts after beauty is counteracted by his crediting me with sincerity in my work. I want more, and still more, of such criticism. For, as we try to do our best, we may by accident do badly, and it is for Mr. La Farge and others to attack our weak points.

The "Midsummer Night's Dream" decoration is my attempt, and I must stand or fall by it. Mr. La Farge must design the next decoration. May I then be the critic?

NORMAN WILKINSON.

New York City.

Mr. Barker's Shakespeare Praised

SIR: Mr. Grant La Farge's observations on Mr. Granville Barker's scenery, though interesting as the reaction of a distinguished architect, manifest, it seems to me, but an inchoate understanding of the purpose of the decorative sets in "A Midsummer Night's Dream." When Mr. La Farge refers to Titania's bower as a "doubtful mosquito refuge of portentous proportions," etc., I am inclined in this detail to agree with him; but the astounding impugning of much of the scenery as "ugly" provokes me to take issue. In reply to his query, "Where is the beauty of this particular staging?" I should say out-of-hand: in its practical self-elimination. Still too young is the art and scarcely spirited abroad the achievement of such pioneers as Gordon Craig, Fuchs, Reinhardt, Barker and Stanislofsky, to meet with immediate apprehension and applause at the hands of the general public; nor can one reasonably expect that a revolution in theatre-craft such as theirs will charm the senses at first touch. The wonder and the newness is not yet worn off. And the effect of the present production is a case in point.

In connection with "A Midsummer Night's Dream" it should be remembered that the scenes and stage-directions often were, with immortal nonchalance, omitted by Shakespeare, and only subsequently, not without marplot botching, interpolated by his well-intending editors. In point of fact, the acts were not indicated until the appearance of the Folio edition.

Perusal of the sources of the play at once bears witness that Shakespeare out-Joved Jove in his Olympian way of regarding as inoperative all manner of supposedly invincible laws. Is Mr. La Farge disconcerted by the lack of Greek atmosphere? Surely, no one expects Mr. Barker to commemorate Greek atmosphere where only too obviously it is uncalled for by the text. Mr. Barker venerates the poet too sincerel[illegible] dare say, but too often passed by—is that there is not a single character in the play which can with any justness be called Greek. On the contrary, far from being Greek in any sense whatsoever, "A Midsummer Night's Dream" is dyed-in-the-wool English, if ever a play was.

Another point: Mr. Barker's production is intended for a select audience, an intelligent audience familiar with Shakespeare and the theatre he played in. To a curious, unintelligent, spectacle-loving audience, the objective of Mr. Barker's sets is never attained, for the reason that instead of accentuating the characters and eliminating themselves they do the very opposite. The thoughtful spectator, on the other hand, can by force of intellectual interest obliterate the decorative, or for a brief moment admire it for what it is worth and pass on to the play itself. For to him the play's the thing. To him the drop with the Greek motive simply stands for the interpolated stage-direction: "Athens, Quince's House," or something to the same effect.

As regards the final set, again I find myself at loggerheads with Mr. La Farge. The coloring of the whole is deep black so as to offset most advantageously the actors, and I seem to see back of the color scheme the operation of a master-hand.

It is not unlikely that, like myself, Mr. La Farge was on the first attack nonplussed by the fairies. Why? Be cause, I surmise, he was not prepared for such gilded clod-footed cobolds and lubber-louts. After sleeping on the affair I detected Mr. Barker's purpose and meaning, his unrelenting artistic sense. Lamb says that Shakespeare "invented fairies," ostensibly founding his observation on "A Midsummer Night's Dream." According to Mr. Barker, it appears, Shakespeare's fairies are not the direct lineal descendants of the Nereids. More nearly do they approximate the Northern fragments of their race, or perhaps it would be more correct to say they represent a fluxional conciliation of Southern and Northern folk-lore. Andrew Lang in the *Brittanica* supports this conception, for he says: "They are not often represented as diminutive in stature, and seem to be subject to such human passions as love, jealousy, envy and revenge." Let us not lose sight of the fact that, above all, they are the familiars of the rural fireside. So when you come to Puck, what is he but the jolly conjuration of "hempen homespuns," and, far from being a sort of mischievous Cupid, the merely supernatural embodiment of a madcap country lout.

Mr. Barker has entered boldly into the spirit of Shakespeare as perhaps no man before him has done. Many cis-Atlantics (among them I must number occasionally myself) fail at first sight to appreciate his work. Somehow he collides uncomfortably with rooted traditional notions, gathered—let us admit it—from the most incandescent part of Broadway.

EDWARD FREEDMAN.

The Jew in Poland

SIR: The letter which you printed in your issue of February twentieth on "The Jew in Poland" contains so much misinformation and unfounded accusation against the Jews that some correction seems due to your readers. The gist of Mr. Gorechi's letter is that the Jew was

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coming, as he does in the majority of cases in this country, a citizen of the land . . . he held aloof. He became, as elsewhere, the financier of the village." Now the fact is that Jews were invited to come into Poland after the Tartar invasions of the thirteenth century had devastated that country and the need of an enterprising middle class to build up the Polish cities and the economic life of the nation was keenly felt. The Jews thus came in under the special protection of the kings and great nobles, and never had the opportunity of becoming agricultural citizens. This position of the Jews naturally caused a great deal of friction between Jews and peasants. But even most rabid anti-Semitic historians like Von Moltke have had to admit the great service that the Jews rendered in building up Polish civilization.

But whatever be the facts of ancient history, the present persecution of the Jews in Poland is not directly due to economic causes. Jews, like Poles, are crowded into large industrial cities like Warsaw and Lodz. The present persecution began in 1905, when the introduction of the Duma gave some hope of an autonomous Poland. Since then the Polish national leaders have been dreaming of a united Roman Catholic Poland. They dare not persecute the Greek Orthodox Russians in their midst, but as to the Jews they have taken a leaf out of the Russian book. In those districts of Galicia where the Poles predominate, the Greek Orthodox Ruthenians do not meet with kind treatment, either. New England history has made us all familiar with the ease with which the persecuted turn persecutors when they get the chance.

Mr. Gorechi is correct in saying that the uneducated Polish peasant is more of a pawn than a player in this game. But the player in this sad play is not the Russian bureaucracy, but rather Polish nationalism. Nationalist parties, especially where there is a national religion, have always been persecutors. If the Jews had their own land and national church, would they accord equal rights to non-Jews and dissenters?

MORRIS R. COHEN.

New York City.

Doubting the Purge of War

SIR: Mr. Alfred Zimmern's "Communication" has had a great effect upon our mental processes. We have meditated upon his trenchant words in the night watches, and they have driven us, like leaves on the wind, to a conviction which we would not before have dared to own. We have come with a sense of revelation to the unalterable conclusion that war or its spiritual equivalent is an exalting and inalienable experience to the sons of men, and that until man, by his intellectual and rational power, shall have established that spiritual equivalent, there shall be no end to war, no true and enduring peace. Mr. Zimmern's vivid picture of the British lion stretching his long-slumbering limbs in exactly the same way that he stretched them at Crécy and Agincourt, at Blenheim and Waterloo—his graphic account of that great psychic experience which has roused a nation from its slothfulness and made it thrill with a new life, has moved us profoundly. Certain it is that man will not, cannot relinquish that sense of purged and rejuvenated vitality which the intense experience of national unity in national peril gives, until he can create some experience which will be in every way the spiritual equivalent of war. Here is

Were it possible so to aggravate the Martians that they would declare war to the death upon the children of Earth, and could the conflict be fairly equal, we would not hesitate to recommend this course of action. The sons of men, now torn by strife, would be pulled together as by an irresistible magnet, a psychic wave would envelop the globe, and the continents would thrill with a sense of loyalty to one another and to their common parent, Mother Earth. Humanity would be unified at last. But unfortunately no such dream is possible. And after all it might only lead to creating a Balance of Power among the Spheres, the results of which would be too awful for consideration. No, our ideal adjustment must be wrought out on the anvil of our common life with the hammer of experience. Only by dedicating himself to an humanitarian ideal, conceived on an international scale, and undertaken with that inflexible determination which shall summon all of his latent heroism and draw from his heart the "last, full measure of devotion" which it is his greatest heritage to give, shall man erect, stone by stone, and jewel by jewel, the enduring Temple of Peace.

Are the children of Earth equal to this task? We pause to consider.

BRENT D. ALLINSON.

Chicago, Ill.

On "The Control of Births."

SIR: Your paragraphs on "The Control of Births" were a fine witness to the sincerity, courage, humanity and intellectual grasp of your paper. But such a communication as was printed in your issue of March thirteenth, from George Henry Dole, of the Church of the New Jerusalem, drives your point home with unexpected force. You could not have asked for a better example of the characteristic cant and sham that refuses to come to close quarters with reality—that cant and sham which still blocks the highways of the race.

WILLIAM ELLERY LEONARD.

Madison, Wis.

Sonnet Model of 1915

SIR: The conviction is forced on me that Santayana's sonnet didn't go far enough. There are several millions of us to whom his Bostonese is as out of date as William's Elizabethan. If he wants to popularize Shakespeare he must speak the living language of the people. I flatter myself my own version hits the great American need much better, besides keeping the rhyme scheme. As follows:

When in disgrace with fortune and men's eyes
I tumble to it I am some cheap skate,
And go round buttonholing busy guys
Who hand me the glad call-down swift and straight,
Wishing myself some w. k. White Hope,
With Astor's roll tucked underneath my vest,
Falling for this gink's steer and that one's dope,
Admiring this boob's cheek and that one's chest,—
Yea, Bo! but when I hate myself like p'izen,
Haply I ring up thee to make a date,
And like the Also-ran that brings the prize in
I settle to my stride and strike my gait:
For, Kid, I'd rather tag your apron-strings
Than beat a straight flush with a pair of kings.

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Books and Things

MR. Oliver Osborne, having smiled once at Miss Rae Tanzer, whom he had never seen before, followed her at a reasonable distance to a bench in Central Park, New York, N.Y., and seated himself by her side. He asked whether she knew "some of the characters in the works of Dickens." Reassured upon this point, "he began to quote long excerpts from various books" by his favorite author. And the evening and the morning were the first day. This was on October seventeenth. On October eighteenth they went to a hotel in Plainfield, N.J. Why Plainfield? The record doesn't explain, but one who is skilled to read between the lies guesses that they wanted to see with their own eyes a certain clerk who was staying in that hotel, who possessed fabulous powers of recognition, and who, if the police only let him alone, will soon be doing a general recognition business. Anyhow, Plainfield was the place, and the evening and the morning were the second day. Later in their this-is-so-sudden acquaintance, when Mr. Oliver Osborne had learned how much Miss Tanzer would endure, "he would frequently recite" Dickens's "Christmas Carol" from "the beginning almost to the end." She seems, in her defencelessness, never to have hinted that unless his acquaintance with Dickens were hidden his acquaintance with her must cease.

Until I reached this, the "Christmas Carol" point in Miss Tanzer's "statement to the New York *American,*" I had been doubtful of her accuracy. At this point my doubts took themselves off. Had she been a reckless woman, or one provoked into temporary carelessness of the truth, she would have accused Mr. Oliver Osborne of not stopping until he had recited the whole of "A Christmas Carol." She has said, however, enough to help the police. Before these lines are printed Mr. Oliver Osborne may have been run down by detectives who realize that the power to recite so much Dickens is almost invariably accompanied by an impulse to display this power, and that this impulse is usually so strong that no desire to remain unobserved can control it. To know that a man knows Dickens by heart is almost equal, from the detective's standpoint, to having his finger-prints. It were idle, however, to lay great stress upon these Dickens recitations, for Miss Tanzer may conceivably be in error about them. What she honestly and genuinely took for "A Christmas Carol" may have been extracts from Petermann's Mitteilungen. Or perhaps Mr. Oliver Osborne may have been playing on the lute when she thought he was reciting. Stranger things have been happening.

Miss Tanzer is not yet a classic author, whose various readings deserve collation and study. This is my excuse for contenting myself with her "statement to the New York *American,*" and for failing to compare it with other statements she may have made, with better or worse assistance, to other newspapers. This particular statement, about whose authorship I know nothing, doesn't sound as if she wrote it. Nor does it sound as if its author were a human being. It sounds as if certain facts and other assertions had been put into a tired narrating-machine. "I wondered why he should be interested in a little girl like me, never dreaming that he had any other motive than that of pure friendship." "He saw me home, and before parting made an appointment for the following day." "At first we went [illegible] pose, because of the difference in our ages." "After he had pleaded with me one time with particular ardor that I throw away my belief in the sanctity of marriage and be his wife in fact, but not in name, he deserted me." Try to call to mind the correctest talker you know. Did you ever hear, on his lips or hers, speech much more correct and rounded? Compare this idiom with the idiom of Miss Tanzer's letters, where the sentences haven't this stupefying and glassy smoothness.

Every newspaper which interviews people, or gets statements out of them, has here a problem to face or to sidestep. Let us suppose Miss Tanzer's statement appeared in the *American* exactly as she made it. In this case the objection is merely that it doesn't sound true, and the easy answer to the objection is that the newspaper cared more for the reality than for the appearance of truth. Let us now suppose that somebody either wrote her statement for her or else mightily touched it up. In this case objection is not to the process, not to the departures from literal accuracy, but to the end in view. The reporter's ideal was an unlifelike and lifeless propriety. His ideal should have been life-imitation. He should have listened, as I seem to have said a few hundred times, for the ultra-characteristic words and sentences, and should then have tried to rewrite the rest of his material in just this key. Of course such a game isn't easy to play. Its difficulty is its fascination. Nobody can even try to play it unless he believes, with all his heart, that everybody talks dialect. A reporter who is intent on catching the dialect peculiar to each individual, and who is eager to reproduce its distinguishing marks, may not at first find sympathetic copy-readers, but he will some day know that he has helped to cure us of our liking for machine-made insipidity.

So much for the manner of Miss Tanzer's statement. To me, I own, its matter is almost as unsatisfactory. What I hoped to find, when I began to read, was a few raw hints out of which I could manufacture a finished "yes" to this question: Did Miss Tanzer ever at any moment believe that Mr. Oliver Osborne and Mr. James W. Osborne were one and the same? Her statement leaves me powerless to answer this question. Unless it be answered, and answered "yes," her case is not more interesting than many cases of blackmail. But suppose she did believe, for a little while, that Mr. James W. Osborne was the reciter of Dickens on Central Park benches. The paths her hopes followed thereafter would be worth having a map of. I should like to know the process by which, after convincing herself of her honest and genuine mistake, she reached the conclusion that such a mistake was not fatal, that the sins of Oliver might still be successfully visited upon the bank account of James.

Honest and genuine mistakes are things of which I would not speak disparagingly. It was only a few weeks ago, in this very place, that I exposed my inability to find, in Bartlett's "Familiar Quotations," some lines beginning "The fair humanities of old religion." Mr. Edward C. Durfee, whose letter appeared in THE NEW REPUBLIC last week, was the first of several correspondents to say where the quotation might be found. An anonymous correspondent told me to look in the ninth edition of Bartlett. And in the tenth edition, the one I had on my table while writing, almost the whole of the quotation appears on page 508. My only consolation is that the blunder was all mine, that no near relatives, no lawyers, no hotel clerks

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Family Memories of Tolstoy

Reminiscences of Tolstoy, by his son, Count Ilya Tolstoy. New York: The Century Co. $2.50.

TO the already long list of books and articles about Tolstoy this volume of reminiscences by the novelist's son, Count Ilya Tolstoy, is a graceful and interesting addition. It will command attention not so much on account of any new material, since most of the facts are to be found in the excellent "Life" by Aylmer Maude, as because the approach is a novel one, offering a picture of Tolstoy as husband and father, and a view of his family from within. The book presents him as seen through the eyes of his children, and, dealing even more with the intimate associations and relationships of their circle than with Tolstoy himself, might almost better have been entitled, "Reminiscences of the Tolstoy Family." Before its present publication, translations of the work appeared serially in French, German, English and American reviews.

Considering the delicacy of the task, owing to certain estrangements and difficulties among the Tolstoys previous to the novelist's death, these memoirs are a delight for their quiet detachment, for their justice and candor. The author has displayed admirable tact and more frankness than might have been expected in writing of purely private concerns, which unfortunately became, even before Tolstoy's death, as after it, matters of public discussion and conjecture. In the whole subject of the will, his father's flight from home in old age, and his end, Count Tolstoy has skillfully guided his course between complete reserve and undignified gossip, between the danger of disloyalty to his father's memory and the risk of disregarding family sensibilities.

As for Tolstoy the man, an interesting perspective may be gained by comparing the opinions held of him by three great fellow-countrymen, all of them, like him, men of letters; viz., Dostoevsky, Turgenief and Merejowski.

The most illuminating, possibly, is the judgment of Dostoevsky, who once likened Tolstoy to a stiff-necked man, obliged, where others moved their heads, to turn his entire body and consequently change his whole direction in order to see something not straight in front of him. Incidentally Dostoevsky paid his tribute to the extraordinary penetration and accuracy of that single-angled vision; but the general criticism holds true, nevertheless, and accounts for the seemingly abrupt swerves in Tolstoy's career. The observation does not mean that Tolstoy's life lacked continuity, either in thought or action, for in reality his development was a coherent one, a steady progress in the march of things. The point is simply that once his face was set in the new direction, the man was unable to look back on the bit of road traveled without returning thither, and in some cases even to remember the value of the prospect it commanded. Each *volte-face* on the course may have been clearly the result of former experience, and predictable from his character and history, but the fact remains that the new vision almost always blotted out the old.

There is some truth—and considerable malice—in Turgenief's criticism of Tolstoy: "He never loved anyone but himself." But there is more insight and justice in Merejowski's emendation: "He never loved any man, *not even himself.*" Indeed there was ever much of Lucifer, of the fallen angel element, in Tolstoy, as Mr. Maurice barrier between him and his goal. His unconscious possession of this quality made the struggle to reach his ideal, in him more than in most men, a constant battle against self. Ivan Durak, the Perfect Fool of Russian legend, was the aim and ideal he advocated as the only one in life worth following, to which he made converts but which he failed to attain himself. Ivan was the aim and ideal of Dostoevsky also, who both preached and achieved it—vision though it be of pure innocence of heart and spiritual love, of simplicity, humbleness and even vicarious suffering. Tolstoy, however, was never able to make the supreme sacrifice and become himself the type.

Pride and lack of love also kept Tolstoy in a state of restless dissatisfaction, even up to the time of his death. The search for an unfound ideal long occupied him, and when that ideal was, as he thought, at last discovered, his discontent remained. Tokens of his search and his disquietude are evident in his works, for example, in "War and Peace," "Childhood, Boyhood and Youth," and in "Anna Karènina." The outward break in Tolstoy's life as described in his "Confessions," though continuous with his internal development, came with the realization of what Leopardi called "l'infinita vanità del tutto," and brought in its train terror—the abstract fear of decay. As told in his own words, a great change began in him: "I began to hate myself; and now all has become clear to me." This was the first step of an evolution that finally led him to think he had found final and everlasting truth. Property, he believed, is the root of all evil, and he now wanted to carry out the teaching of the gospel in all literalness.

Rather naturally, there was opposition at home to Tolstoy's desire to carry out in practice the ideal of poverty. He in turn was too human—and too weak—to apply the uncompromising and terrible sayings of the New Testament. But his recoil from them placed him in an impossible position, where he winked at property, closed his eyes to it, but freed of all the care of management, nevertheless enjoyed its benefits.

There is more in this acceptance of his than can well be excused on the score of inevitable eccentricity and inconsistency in men of great genius. It reveals a third important characteristic of the man, and another aspect of his spiritual pride. Tolstoy humbled himself intellectually only—never in heart and soul. Though he despised his own works, toiled at manual tasks with the peasants and tried to live as they, true humility escaped him. And one reason was that he always hated himself, that he did not love his God through himself and love himself for the godhood therein.

In truth the full circle of Tolstoy's spiritual life was never traced, and it is doubtful if at the end he won the truth he had been searching for. Finally his position would seem to have become intolerable to him; the disparity between the actual conditions of his existence and the life which his beliefs, his convictions and his ideals demanded grew too great. Feeling that the end was upon him and that his compromise had been wrong, he fled from home to find the supreme good, and if but for once, to live true to it, as a pilgrim on the highways, as a holy man.

Tolstoy's value as an artist is recognized; it is his worth as a man, as a life, which bears a wider promise for criticism. Just as Dostoevsky was the doctrine in the spirit, living it easily, almost, through innate genius for it, so Tolstoy was the doctrine in the flesh. The very

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ourselves, mankind, magnified and therefore more patent, with larger powers and proportionately greater handicaps, nearer to us on the human side, as Dostoevsky is on the divine. The latter is the ideal, perhaps, but Tolstoy is the lesson, the exemplar of men's errors, struggles and sufferings in their effort to attain that ideal, and—what is equally important—in their failure.

MALCOLM TAYLOR.

Background and Drama

Brunel's Tower, by Eden Phillpotts. New York: The Macmillan Company. $1.50 net.

ARE you by any chance looking for a text from which to preach your favorite discourse upon the modern novel as a work of art? Do you seek an occasion for contrasting the workmanship of to-day with the workmanship of the eighteen forties? You need look no further than "Brunel's Tower," to which Mr. Phillpotts' controlling imagination has given the one tone, the one color he wanted it to have.

Three objects hold the foreground of this quiet-colored, quiet-minded book: Brunel's Tower itself, George Easterbrook, senior partner in the pottery he established there, and Harvey Porter, a runaway boy from a reformatory.

When George Easterbrook first saw Brunel's Tower it was a deserted ruin, "a great vaulted chamber, with shattered roof of slate supported by solid stone walls, while above it ascended what he took to be a chimney stack, yet never had he remarked one finished with so great a regard for form and beauty. It resembled the picture of an Italian campanile that Easterbrook had seen in a journal. It was square, and built of grey limestone; but masses of red conglomerate sandstone were wrought into the top of the shaft, and red tiles protruded in a deep eave round the summit." Just as a man moving into a new neighborhood and making his home there, slowly grows acquainted with the surrounding country, so do readers of this story come to know the country about Brunel's Tower, the lie of the land, the Devonshire landscape, the feel and smell of the earth. Yet the Tower never loses its place in the foreground. Our imaginations keep finding their way home to it.

Quite as remarkable is the skill with which the whole book is finely stained the color of George Easterbrook's character. He has the kind of imagination appropriate to a craftsman and a man of business. His life is simple and laborious. His rectitude, justice and love of work well done have their influence throughout the countryside, and especially upon the men he employs. His is a mind which sharply divides good men from bad, right conduct from wrong. When he is past sixty a new interest comes into his life. This interest grows into affection for the less than twenty-year old runaway who gets his chance at Brunel's Tower.

This boy, Harvey Porter, is eager and apt to learn, eager to please, quick of eye and mind, capable of hero-worship, untruth, cruelty, gratitude. The story of the book is the story of what happens to his character when it undergoes Easterbrook's influence, and in a less degree the influence of the ordered laborious life led at Brunel's Tower. The book is equally the story of a change in Easterbrook, who comes to believe that his division of the world into right and wrong, good and bad, was too sharp

It was finely imagined, this story of conversion and character-building, with its complementary change in the character-builder and converter. But the questions Mr. Phillpotts raises and no doubt meant to raise are not answered by the unfolding of the story or by the end he has chosen. Here lies the weakness of the book. He has written it as if he intended it to answer these questions. He inspires his readers with doubts which he doesn't seem to share as to the depth and durability of the change in Harvey Porter. And yet doesn't Mr. Phillpotts perhaps share them after all, without being willing to admit this to himself? Isn't a certain uneasiness in his own mind the explanation of the quite arbitrary accident which he has chosen as an ending? "If you are going to make a book end badly," Stevenson once wrote to Barrie, "it must end badly from the beginning. Now your book began to end well."

One's impression, after closing the book, is that Mr. Phillpotts first conceived "Brunel's Tower" as place, occupation, way of life, potters, that he afterward sat down to the task of inventing a drama to set against this background, that the subject he found for this drama, though seizing his imagination at the start, didn't quite keep its hold. Such a guess would explain why his drama, which makes several demands upon one's credulity, is inferior to his setting.

The beauty of this setting is very great. In the course of the story we follow many of the potter's processes with lively interest. Mr. Phillpotts is too good an artist to give us process by itself. We follow each process with the mind and the nice hand of the individual craftsman by whom it is performed, or with the hopes of the intelligent, inquiring boy who is so eager to learn. The craftsman's certainty of hand and eye, the things he can make his hand and eye do—these are a joy to Mr. Phillpotts, who enabled us to share his feeling for them, his feeling for the clay itself, his love of cliff and moor and woodland, his delight in the marriage of man and man's craft. The men we meet here are for the most part "grave livers," men of slow and abundant speech, each with a point of view curiously affected by the part he takes in the potter's process.

As drama, curiously deficient in those surprises which reward the deeper scrutinizers of human nature, not nearly strange enough to compete with life, "Brunel's Tower" is also a record of fine pleasure in fine things, a novel quite admirable in composition, and written with distinction and charm.

Basic Sanity

The Happiness of Nations, by James Mackaye. New York: B. W. Huebsch. $1.25 net.

EACH of us, I suppose, experiences at some time the nausea of ideas. The language of thought goes stale in us, the fabric of theories and impression seems overworn and musty. A cleansing and a re-creation is then almost a physical longing; we feel that we need to be ventilated and restored; as if we had breathed too long the air of a blind alley, or been revolving in the circle of some futility. In that condition it is good to read Mr. James Mackaye. His mind, to borrow from Wells, seems to rise over the conflicts of mankind like the "glittering angular promise of the machine."

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logic so clean that even the most persistent romanticist must recognize here a master of technique. Mr. Mackaye calls himself a political engineer. The name is well chosen, for the structure he builds has all the nobility of a superb machine—the accuracy, the plan, the fine edges, and the sense of usefulness. There is nothing foggy, nothing fuzzy, nothing soft, nothing tepid, nothing trivial and sentimental and customary in his thinking.

But to some who read his larger book, "The Economy of Happiness," he seemed a tyrant of rationalism, a man who had sharpened his logic to such a point that it cut and tore the whole human texture of life. It seemed a merciless world that he offered mankind. And when he said that the goal of all reasonable action is happiness, people revolted and replied that his was the cruelest irony. How could there be happiness apart from dumb passions and old intuitions? How could this cold intellect offer joy to humanity?

Mr. Mackaye offers it as a result of the application of reason to morals and of morals to science. He works in the tradition of Benthamite Utilitarianism, but unless I am greatly mistaken he is a more consistent utilitarian than his master. He has no reservation, not even the ones which John Stuart Mill allowed. Upon this philosophy of utility, Mr. Mackaye sketches a plan for social science. His originality lies in a clear-sighted relation of means to ends, of all proximate ends to the one great end of utility. I know that utilitarianism is not well regarded by moralists to-day, but I beg to suggest that until Mr. Mackaye is disposed of, the case has not been made out. He is by all odds the most powerful living exponent of the school.

The one obvious retort he escapes entirely. He does not say that all men instinctively seek pleasure and avoid pain. He says that they ought to. It is as a moralist and not as a psychologist that he speaks. This distinction is all-important, for unless it is made, criticism of Mr. Mackaye is certain to miss the force of his argument.

Perhaps the most interesting thing about his work is the way he handles the opposition. Of the commercial school of economists, for example, he says: "They are in the position of men who don't know what they want but are bound to get it. They know wealth is not the goal of human conduct but they encourage men to act as if it were." Again: "Everywhere we are taught that 'life is sacred,' that 'property is sacred,' but when are we taught that happiness is sacred? And yet it is only because of their relation to happiness that these other things have a trace of sacredness." Or, "You will often hear it remarked that to have too much fun is a bore, that pleasures too long continued become tiresome, or, to put it baldly, that happiness prolonged becomes unhappiness. . . . Such a proposition is quite true . . . but it is usually understood as meaning that pleasure is sometimes not pleasure. As might be expected, the conclusions from this contradiction are of the stuff of which chaos is made." To those who say that what is happiness to one man is unhappiness to another, he replies, "As well might a farmer be discouraged because what will grow turnips in one place will not cause them to grow in another."

Finally, I must quote another passage to show what a critical weapon Mr. Mackaye has forged. He is speaking of a standard text-book of political economy: "The author in beginning his exposition, desiring to make perfectly obvious the value of his subject to society, asked this question: 'Which will be better off, a people who have plenty or a people who have not?' And answering the

to deduce from this proposition its obvious consequences. For a people to have plenty they must produce plenty, and to produce plenty they must spend plenty of time in producing. The more time they spend in producing the greater will be their plenty. Ergo, for a people to be as well off as possible they must spend as much time as possible in production. Q.E.D. After this demonstration, he proceeds to expound orthodox commercial economics as the best system for making people well off. Now, according to the utilitarian, this economist, like all of his ilk, was off the track. How did he get off? Simply by answering the wrong question first. He started with the question, How shall a people have plenty? He should first have asked himself: plenty of what?" Plenty of happiness, or plenty of sweatshops, millionaires, drudges, plenty of pearls, plenty of twelve-hour shifts, plenty of child labor, night work, speeding up?

This is Mr. Mackaye's peculiar importance. He asks the ultimately sensible question, and this is why in the confusion and purposelessness of life he has seemed to many of us like a fine compass to set us right. In the midst of compromise and blind striving he recalls the end. And if he seems to forget the tangle of existence and the marshes in which unreason is rooted, he is one of the men who at least never forget where they are going when they are on their way. W. L.

Army Scandal in Germany

Life in a Garrison Town, by Lieutenant Bilse. New York: John Lane Company. $1.00 net.

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